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February 11, 2025

**VIA ECF**

Honorable Peggy Kuo  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

**Re: *Hernandez v. Sun Fish Inc. et al.***  
**Civil Action No. 1:23-cv-1246**

Your Honor:

Our office represents Plaintiff Leonel Gonzalez Hernandez in the above-captioned matter. We write jointly with counsel for Defendants pursuant to the Order dated February 10, 2025, which directed the parties to certify the close of all discovery by February 12, 2025.

On December 12, 2024, the Court filed an Order granting Plaintiff's requests that 1) Defendants produce all outstanding discovery by December 31, 2024; 2) Defendants be precluded from introducing any evidence at trial that was not produced prior to December 31, 2024, unless such discovery is produced at least ninety (90) days before trial begins; and 3) Defendants be precluded from calling Defendant Jun Kim or any other witness at trial unless Mr. Kim or any other witness appears for a deposition at least sixty (60) days before trial begins. Defendants have not produced the outstanding discovery, nor have they indicated whether Mr. Kim will be able to sit for deposition. Discovery is thus closed.

Accordingly, pursuant to Judge Komitee's Individual Rules and Practices, on January 23, 2025 Plaintiff filed a request for a pre-motion conference in anticipation of moving for summary judgment (Dkt. No. 31), and Defendants filed an opposition on January 28, 2025 (Dkt. No. 32). The parties await Judge Komitee's decision on Plaintiff's request.

We thank the Court for its attention and consideration.

Respectfully submitted,

Jarret Bodo